

HAMILTON COUNTY BOARD OF COMMISSIONERS  
NOVEMBER 13, 2007

The Hamilton County Board of Commissioners met on Tuesday, November 13, 2007 in the Commissioners Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session in Conference Room 1A at 1:30 p.m. President Dillinger called the public session to order at 1:50 p.m. and declared a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. The Pledge of Allegiance was recited.

**Approval of Minutes**

Altman motioned to approve the minutes of October 22, 2007. Holt seconded. Motion carried unanimously.

**Executive Session Memoranda**

Altman motioned to approve the Executive Session Memoranda of November 13, 2007. Holt seconded. Motion carried unanimously.

**Highway Business [1:52:49]**

**Road Cut Permits**

Mr. Jim Neal requested approval of Open Road Cut Permits 1) RDCUT 2007-006 for Meyer Najem Construction on Moontown Road 935' south of 191<sup>st</sup> Street for reconstructing county regulated drain. 2) RDCUT 2007-007 for the Town of Fishers on Cyntheanne Road 730' south of 126<sup>th</sup> Street for offsite storm sewer for Cyntheanne Park. 3) RDCUT 2007-008 for Veolia Water at Dead End of 131<sup>st</sup> Street 2300' west of Brooks School Road for a water main extension. Altman motioned to approve. Holt seconded. Motion carried unanimously.

**Acceptance of Bonds/Letters of Credit – Highway Department**

Neal requested acceptance of Bonds and Letters of Credit for the highway department. 1) HCHD #B-07-0025 – Bond Safeguard Insurance Company Subdivision Improvements Performance Bond #5008186 issued on behalf of The Marina Limited Partnership in the sum of \$335,000 for Cambridge Subdivision, Section 10, stone base, H.A.C. Binder and Surface, and Concrete Curb to expire July 31, 2009. 2) HCHD #B-07-0026 – Bond Safeguard Insurance Company Subdivision Improvements Performance Bond #5008187 issued on behalf of The Marina Limited Partnership for Cambridge Subdivision, Section 10, street signs/regulatory signs to expire July 31, 2009. 3) HCHD #B-07-0041 – Fidelity and Deposit Company Permit Bond #8906959 issued on behalf of Meyer & Najem Construction, LLC in the sum of \$10,000 for a road cut on Moontown Road for new county culvert, 4283 East 191<sup>st</sup> Street, Westfield, to expire October 15, 2008. 4) HCHD #B-07-0042 – Continental Casualty Company Performance and Maintenance Bond #929439921 issued on behalf of E&B Paving, Inc. in the sum of \$491,513.00 for Resurface Contract 07-4 to expire October 29, 2009. 5) HCHD #B-07-0043 – Safeco Insurance Company Performance Bond #6522629 issued on behalf of Cargill, Incorporated – Deicing Technology in the sum of \$25,000 to supply salt for a contract period of 3/1/07 to 2/29/08. 6) HCHD #B-07-0044 – St. Paul Travelers Permit Bond No. 104826948 (now 104826949 by Rider) on behalf of Roto-Rooter Services Company, Branch #168 for work in the right-of-way to expire October 29, 2008. Holt motioned to approve. Altman seconded. Motion carried unanimously.

**Release of Bonds/Letters of Credit – Highway Department**

Neal requested the release of Bonds and Letters of Credit for the highway department. 1) HCHD #b-06-0049 – Western Surety Company Permit Bond #43221839 issued on behalf of Busby Drilling Co., Inc. for a bore under Cyntheanne Road between 146<sup>th</sup> and 156<sup>th</sup> Streets. 2) HCHD #B-06-0050 – Western Surety Company Permit Bond #43331070 issued on behalf of Busby Drilling Co., Inc. for a bore under 136<sup>th</sup> Street near Cyntheanne Road. 3) HCHD #B-06-0017 – The Continental Insurance Company Subdivision Improvement Bond #929388760 issued on behalf of M/I Homes of Indiana LP for Hillsdale Grove. 4) HCHD #B-07-0001 – Bond Safeguard Company Subdivision Bond #15-801335 issued on behalf of Equicor Companies for a commercial drive at Olio Pavilion – 116<sup>th</sup> Street and Olio Road (NW corner). Holt motioned to approve. Altman seconded. Motion carried unanimously.

**Agreements and/or Supplements**

**Small Structure #33063 (Fall Road over Sugar Run Creek)**

Neal requested approval of Utility Reimbursement Agreement, HCHD #M-07-0032, with Marathon Pipe Line, LLC for culvert replacement Small Structure #33063 (Fall Road over Sugar Run Creek). Holt motioned to approve. Altman seconded. Motion carried unanimously.

**Small Structure #31002 (216<sup>th</sup> Street over Finley Creek)**

Neal requested approval of Supplemental Engineering Agreement No. 2, HCHD #E-07-0010, with Butler, Fairman and Seufert, Inc. for survey, design, right-of-way engineering, and possible right-of-way acquisition services for Small Structure #31002 replacement under 216<sup>th</sup> Street approximately 500 feet east of Lamong Road. Altman motioned to approve. Holt seconded. Altman asked where is the budget? Neal stated we had to transfer monies to the small structure line item. Holt asked what are we doing to the adjoining landowners? Neal stated at this time we don't know, structure size or type has not been determined. Holt stated there have been a couple that he has had regrets after he has seen what it has done to the adjoining landowners and have never had an opportunity to weigh in to that because it is a done deal after we approve it. Holt asked how do we get a chance to weigh in? Neal stated they can go over the preliminary design with the commissioners before they move into final design. Neal stated at this point all we have done is hydraulics. There are no homes on either side of the road. Motion carried unanimously.

**Bridge #133 (186<sup>th</sup> Street over Stony Creek)**

Neal requested approval of Supplemental Agreement No. 2, HCHD #E-05-0003, with Beam, Longest and Neff, LLC for Bridge #133 (186<sup>th</sup> Street over Stony Creek). The agreement is to adjust the appraisal types. Altman motioned to approve. Holt seconded. Motion carried unanimously.

**Traffic Study Correspondence**

Neal requested approval of the list of correspondence concerning investigations of requests for signage on Hamilton County Roads dated November 13, 2007. 1) Willie Bentley requesting Speed Limit and "School Bus Stop Ahead" warning signs on 196<sup>th</sup> Street between Promise Road and S.R. 13 in Noblesville/Wayne Townships. 2) Kim Berebitsky requesting a Speed Hump on Titan Run in Clay Township. 3) Dwight W. Stomberg requesting "Hidden Drive" Warning Sign at 11959 East 191<sup>st</sup> Street in Wayne Township. 4) David D. Gill requesting a "Hazardous Intersection" warning sign at 146<sup>th</sup> Street and Adios Pass in Washington Township. 5) Kristina Wiseman regarding change lane usage at 146<sup>th</sup> Street and Western Way/Clay Terrace Boulevard in Washington Township. 6) Robert D. Watson, III regarding Stop Lights at 104<sup>th</sup> Street & Comb Street in Clay Township. 7) Mindi Schmidt requesting "Stop Ahead and Double Arrow" warning signs at 106<sup>th</sup> Street and Mollenkopf Road in Fall Creek Township. Altman stated she is concerned about Western Way and 146<sup>th</sup> Street that when we looked at this location it was in the middle of the day. Mr. Chris Burt stated the letter specifically stated she had problems around 9:30 a.m. or 2:30 p.m. during non-peak hours. In previous investigations he had looked at it during peak hours. Holt stated he experienced sitting at a red light going west bound on 146<sup>th</sup> Street at Cool Creek Commons for an inordinate time with no traffic going in or out of Cool Creek Commons. Burt stated he has not received any complaints but he will check into it.

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Altman stated on the 146<sup>th</sup> Street and Adios Pass crash history it says using a lower traffic volume is more conservative analysis, it was counter intuitive why you would use a lower traffic volume to be conservative. Burt stated the higher the traffic volume the higher you expect the crash data to be. Neal stated as you use a lower traffic count and the crashes per million vehicles will go up the same number of crashes. Altman motioned to approve the traffic correspondence as submitted. Holt seconded. Motion carried unanimously.

**Official Action**

**196<sup>th</sup> Street from Promise Road to S.R. 13**

Neal requested approval of an official action to set the speed limits on 196<sup>th</sup> Street between Promise Road and S.R. 13 in Noblesville and Wayne Townships. Holt motioned to approve. Altman seconded. Motion carried unanimously.

**Bridge #133 Right of Way Assurance Letter**

Neal requested approval of a letter to INDOT (Indiana Department of Transportation) for Bridge #133 (186<sup>th</sup> Street over Stony Creek) assuring they are following the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Altman motioned to approve. Holt seconded. Motion carried unanimously.

**Bridge #224, Allisonville Road over Stony Creek**

Neal stated the scope of work on Bridge #224 (Allisonville Road over Stony Creek) needs to be decided. Neal stated the two options are: Alternate 1B is a long term solution with a 75-year design life. It could accommodate future widening if it occurs and would replace the existing structure with a lower maintenance type structure. There is an increased up-front cost and no one is certain to what will happen with the railroad bridge if Allisonville Road will be widened. Alternative 4B is the most economic, there will be some minor widening to the structure when the deck is replaced and it is a 35-year design solution. If the alignment of the road changes we are not out as much money and it is not as easily widened. With the minor widening the structure would be wide enough that it would no longer be classified as functionally obsolete. The estimated costs for Alternate 1B are approximately \$1 million; alternate 4B estimated costs are \$586,000. Altman asked what about the down time between the two alternatives? Neal stated on alternate 4B the closure time is 60-90 days; alternate 1B the closure is 90-120 days. The whole road would be closed. Howard asked if this would be after the Fall of 2008, after Hazel Dell is open? Neal stated it depends on how the deck weathers this winter. Howard stated Hazel Dell will have 3 lanes open in about three weeks but will not be open as a full lane boulevard until Fall of 2008. Discussion of the railroad was held.

Mr. Mike McCool of Beam, Longest and Neff, stated they have studied Bridge #224 and gave a presentation on their findings. The bridge was re-habilitated in 1981 with a basic overlay, full and partial depth patching and widened it to 5 foot shoulders with 10 foot lanes and replaced the rail to current standards of that time. The existing bridge is classified as structurally deficient. The deck and overlay are falling apart. The bridge is structurally deficient and functionally obsolete, the clear roadway width is 30 feet and with the ADT of 12,000 it receives a rating of three. The approach rail does not meet today's current standards. The purpose of the study was how to improve the deck and how to improve the geometry of safety features and add life to the bridge. McCool reviewed the options. All alternates were eliminated except Alternate 1B and 4B. McCool stated a quick life cycle calculation indicated that if Allisonville Road was to be widened within nine years it would be more cost beneficial to put the new bridge in now, if the widening comes after nine years it would be more cost beneficial to rehabilitate the bridge and replace it in the future. Altman asked about pedestrian or bike traffic? McCool stated they did not consider that, it would require additional widening because of the current narrow shoulders. Altman asked if there are any other easy fixes? McCool stated it would not be easy or cost effective due to the wing walls. Holt motioned to approve Alternate 4B bridge and encourage you to look at a bike path option. Altman seconded. Motion carried unanimously.

**Release of Escrow – Cool Creek Village**

Neal requested approval of the Release of Escrow of Willow Branch, LP for Cool Creek Village, LLC at 146<sup>th</sup> Street and Cool Creek. Holt motioned to approve. Altman seconded. Motion carried unanimously.

**Highway Department Closure**

Mr. Brad Davis requested permission to close the highway department on Friday, November 15, 2007 from 11:30 p.m. to 1:00 p.m. for the Milestone Appreciation Luncheon. Holt so moved. Altman seconded. Motion carried unanimously.

**Olio and I-69 Bridge**

Davis stated INDOT is in the process of revising their policy on bridges. They are discussing that any structure over an interstate would remain under INDOT's jurisdiction and they would be responsible for maintenance of the structure. In return they would like to charge the county an annual maintenance fee for future maintenance of the structure. He has not received anything in writing. Holt asked if they are going to pay for building it? Davis stated no. Davis stated they are looking at other options, but leaning towards the fee structure. Altman asked if we could suggest maintenance standards? Davis stated that has been contemplated but they did not feel those funds would be significant.

**238<sup>th</sup> and Olio Road**

Davis stated Jeff Heiking of Fishers is supposed to get a set of preliminary plans to the highway department for the proposed roundabout at 238<sup>th</sup> and Olio Road.

**131<sup>st</sup> and Allisonville Road**

Fishers has asked us to consider participating in a turn lane at 131<sup>st</sup> and Allisonville Road. They are going to put a permanent traffic signal at that location. 131<sup>st</sup> Street is in county's jurisdiction, it is something we had planned to do. Holt asked if the turn lane would be for northbound from 131<sup>st</sup>? Davis stated it would be westbound onto 131<sup>st</sup>. Dillinger stated he thinks we should do that. Holt so moved. Altman seconded. Motion carried unanimously.

**96<sup>th</sup> Street Improvements**

Davis stated the highway department is looking at doing work at 96<sup>th</sup> Street and Cumberland Road. Fishers would like to do some improvements at Lantern Road which would leave a short section between those two intersections. Davis stated they may want to look at designing that corridor together through an interlocal agreement with Fishers.

**Mayflower Park**

Davis stated Mr. Mike Urbanski of Browning Investments has called him regarding Mayflower Park asking if the county will accept the roads. Davis stated he has researched the minutes and could not find where we formally told him no. Davis stated he has told Mr. Urbanski that he would have to approach the Commissioners but in terms of the highway department we would not accept those roads. Altman stated he has never formally asked we left it that they would have to come up with a rehabilitation plan and we have never heard from him.

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**The Legacy Development**

Mr. Tim Walter, Platinum Properties representing East Carmel LLC (Developer), presented their road cut requests for The Legacy development at the southwest corner of 146<sup>th</sup> Street and River Road. It is 419 acres and zoned for 1800 residential units as well as commercial, retail and office space. Walter stated they are requesting approval of access off of 146<sup>th</sup> Street. Access 1 (west side) will access the residential portion of the development and they are requesting right in, right out and left in access. Access 2 (immediately to the east of that point) will access some office and retail ground and they are requesting right in and right out access. Access 3 (central portion) will serve the main collector road and runs through the development and corresponds to an existing full access intersection on 146<sup>th</sup> Street for the apartment complex to the north. They are requesting full access at this location. Access 4 (east side) would access retail and residential and they are requesting right in access. Howard asked what are the east-west interconnectivities as planned in your development plan? Walter stated they have a combination of frontage roads and interior streets. There are blocks with east-west roads running between those blocks to move traffic east and west. Howard asked if there is interconnectivity among the four intersections, all away across? Walter stated the three to the east will be connected by a frontage road or through a road that will fall back. To the west is all residential; there is a major grade change at the existing tree line. It will all be low density, large lots for custom homes. The only connectivity would be an extension of Cherry Creek Boulevard, which goes through Cherry Creek Estates and connects to Hazel Dell and River Road eventually. Walter stated they would like Commissioner's approval today and they will work out the details with the highway department. Altman stated her concern on the low density residential is the left in. You have full access request and you need to develop out as quickly as possible to encourage people to access primarily through Hazel Dell or River Road. Walter stated they did consider it to be just right-in, right-out but one concern was the potential of people going onto Cherry Tree Road and trying to make a "U" turn. Altman stated we can post a "No U-Turn" and arrest people that do that. Walter stated there is a development approved in Carmel that will have access that could potentially bring traffic down Cherry Tree Road. This signal does not have protected left turn at Cherry Tree Road and will slow down the green time for thru traffic on 146<sup>th</sup> Street. Altman stated long term we might choose that option but it does not need to be done currently. Holt asked why would you not do a protected left hand turn on Cherry Tree when it was warranted? Neal stated currently it is not warranted. Holt stated at build out wouldn't that be a logical thing to do? Neal stated it could be but if they don't access that way the left turn may never be warranted at Cherry Tree. Mr. Steve Fehribach, A&F Engineering, stated when we give recommendations as to where a turn lane should occur at access points one of the things we look at is future build out. Future build out is the entire vacant area. Today you have no problem at all, but in the future he does not think it will continue to work that way just out of sheer normal growth that will occur. If left turn lanes are done safely, and this left turn lane would be designed as a slotted left turn lane where no one could physically move out, what will happen in the future is the left turn lanes will fill up. The capacity will be used. If you don't allow people to move into their development through access points people will use the Cherry Tree access and the queue length or delay will increase because you will have people that need to turn left and go onto Cherry Tree. Once you use up that green time there are only a couple things you can do, the clock is only so big with the signal. You will have to increase the green time for the left turn lane. If you talk about a protected left turn lane instead of 7, 10, 12, or 15 seconds maybe we have to go to 20 seconds. At that point in time the engineers have to make a choice of where do they take the green time away from; is it the thru movements on 146<sup>th</sup> Street, is it the thru movements on Cherry Tree, something will have to give. Today, that is not an issue but in the future Fehribach believes it will. If we can provide for a left turn lane that works safely and prevents anybody from turning left out is why we made this recommendation. The signal at 146<sup>th</sup> Street and Cherry Tree will produce gaps for anybody that wants to turn left into the site. Fehribach stated his recommendation was that it will help his development but in the future it will help the green time in the left lane. Altman stated long term that may be the solution we choose, but we are projecting out in the future. There may be a lot of tweaks we are going to need to make across the whole 146<sup>th</sup> Street, long term. Fehribach stated the problem is once you build it as a right in, right out it is only so wide and you would have to come back in and widen the approach, all of which can be done. Altman stated you could build it with the intent of putting it in? Fehribach stated we can design for anything with enough money. Once it is a subdivision and people realize this is the way they are going to get in, you will be tweaking the signal time at Cherry Tree rather than put the left in, he has never seen left turn lanes put in subdivisions once they are built out. If this was a retail area he would agree with Altman. Altman stated she would rather work on how things are operating now rather than tie the hands of people 20 years from now. Holt asked if there is any impediment on how long the decel lane would be for the left hand turn on 146<sup>th</sup> Street? Fehribach stated the volume is extremely small, in sense of a traffic engineer. The difference in that left turn and the main access is 1,000 feet or more. You would never use all of that lane or median. If the gaps are occurring because of the Cherry Tree signal will allow those cars to get in. The bulk of the traffic to a residential site is the people coming in to during the pm peak hours. Holt stated he is concerned about people westbound on 146<sup>th</sup> Street on the inside lane and the guy in front of them decides to execute the left in; he is going to start breaking in the travel lane? Fehribach stated he does not have to be, there will be room to put a taper in. The taper would be probably be 100 feet long but the decel lane is based on the posted speed limit, he would estimate 300 feet. It could be designed for the decel so the person that exits the thru traffic on 146<sup>th</sup> Street, enters the left turn lane has enough time to decel from 45 mph to 0. Holt stated we are not deciding that today, we are passing that decision back to the highway department, depending on the vote? Fehribach stated yes. Altman stated her experience has been that if you have a left turn people will decel in the thru lane and it disrupts traffic. Holt stated he is intrigued with Fehribach's perspective that any governmental entity would go back and invest the moneys to build it later. It would be easier to slow traffic down with a left arrow at Cherry Tree. Holt motioned to approve The Legacy's request. Dillinger seconded. Howard suggested it be conditioned upon a commitment by the developer that the balance of the right of way contiguous with 146<sup>th</sup> Street would be dedicated as a non-access, so you don't diversify title. Walters agreed. Howard stated that will be part of the negotiations. Holt included that in his motion, Dillinger included it in his second. Altman asked what about the inclusion of signalization if it is ever warranted? Holt stated that is part of the negotiation with the highway department. Davis stated they have discussed it but it needs to be part of this discussion. Walters stated they are fine with that. Holt added that to the motion. Dillinger agreed. Holt asked how is the signalization going to work, up front or when warranted? Davis stated when warranted and we concur with the warrants. Altman stated what if they are in and out and are gone. The question is will it be a repository deposit? Holt asked will it be bonded? Holt stated if you are pouring concrete why would you not do it up front. Holt asked what did you visualize for the lights? Mr. Ken Brasseur stated they will enter into a standard covenant that we will pay for that and if necessary if you want us to put some type of bond they will work that out with the highway department. They have no problem putting a signal in. They have talked with Pedcor and they are willing to participate in that. We can enter into a three-way agreement with Pedcor and us and the county where the county would incur no costs and we would incur those costs. We can work out the details. Howard recommended putting a bond behind it. Brasseur stated they can do that. Holt called to question. Dillinger and Holt approved. Altman opposed. Motion carried.

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**Delaware Township Assistance Appeal [2:48:40]**

Mr. John W. Basso did not appear for his assistance appeal of the Delaware Township Trustee. Holt motioned to dismiss. Altman seconded. Motion carried unanimously. Altman informed the representative of the Delaware Township Trustee's office that the Commissioners have gotten very concerned about documentation and the potential of a client signing off on any requests or actions. This is a forewarning that should an appeal come through we expect to have full documentation in our packet of everything that has transpired on that case signed off by your requesting client.

**ISSD [2:50:50]**

**AT&T Order**

Ms. BJ Casali requested approval of an order with AT&T for ISDN Prime Service to support the increase in phone usage for the highway department, Household Hazardous Waste, and EMA. We are already at 80% capacity during a non-peak time of year. This will add an additional 46 lines. Altman motioned to approve. Holt seconded. Motion carried unanimously.

**Travel Request**

Casali requested permission for Zach SeRine to attend the Techno Security Conference in Myrtle Beach in June 2008. The conference cost is \$695. Altman stated she thought the Commissioners had asked Casali to come up with a conference attendance schedule for 2008. Holt motioned to approve. Altman seconded. Motion carried unanimously.

**Commissioner Committee Reports**

**Ratio Study**

Altman stated the Commissioners had sent a letter to the DLGF (Department of Local Government Finance) requesting approval of our Ratio Study; it was successful, approval was done within one week.

**Transportation Joint Committee**

Altman stated they are wrapping up the Joint Transportation Committee meeting downtown. The INDOT representative explained that they only do road projects. The legislature is looking at an overall transit planning through the MPO's or otherwise.

**Safety Risk Director**

Dillinger stated Ross Klippel, Safety Risk Director, has resigned. We are in the process of advertising for a replacement.

**Attorney [2:54:49]**

**Community Corrections Complex**

Howard requested approval of Retainage Escrow Agreements for the Community Corrections Complex Project with Indianapolis Roofing and Sheet Metal Corporation, Calumet Asphalt Paving Company, and Verkler, Inc. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Howard requested approval of the contract with Indianapolis Roofing and Sheet Metal in the amount of \$187,800 for work on Phase I – North Jail Additions and Services Building. Holt motioned to approve. Altman seconded. Motion carried unanimously.

**I-69 Bridge**

Howard has prepared an interlocal agreement with the City of Noblesville regarding the I-69 bridge. He will continue to monitor the highway department's dialogue with INDOT.

**Administrative Assistant**

**Clay Regional Waste Board Appointment**

Altman stated Bill Karns has resigned his position on the Clay Regional Waste Board, effective October 24, 2007. Altman motioned to appoint Barry McNulty as his replacement. Dillinger stated he personally thinks it should be someone from that area. Altman stated given the fact it is a regional waste board and he is our health expert on septic and sewer, he is a perfect match. Holt asked if this is an effort to expand Clay Regional Waste to Adams Township to deal with the Baker's Corner scenario? Altman stated not necessarily, but to deal with the expertise that would be very helpful on the Board. Dillinger stated he thinks they should speak with other people. Holt stated he thinks McNulty would be an asset but he is not in favor of Clay Regional Waste going into Adams Township. Holt motioned to table. Dillinger seconded. Motion carried unanimously. Altman requested this item be placed on the next meeting agenda, the Board is already short members. Mr. Swift will contact possible candidates to see if they are willing to serve and report back to the commissioners prior to the next meeting.

**Clay Regional Waste Wage Determination Committee Appointment**

Swift stated Clay Regional Waste Board is requesting an appointment to their Wage Determination Committee. Holt motioned to appoint Jane Merrill. Altman seconded. Motion carried unanimously.

**Noblesville Housing Authority**

Swift stated the Noblesville Housing Authority has requested permission to post notices of new houses available through the HAND Program. Altman stated she would like to set a policy regarding this type of postings for employees. Holt asked where are they currently being posted? Swift stated the discounts are distributed through the county mailbox. This would be posted on the bulletin board located outside the Surveyor's office. Ms. Kim Rauch stated there is no room on that bulletin board, there is barely enough room for meeting agendas. Altman suggested posting a bulletin board in the canteen area. We are spending too much staff time advertising for merchants. If someone is requesting permission to post something, Fred can approve it; it is posted at some location for employees to pick up. Howard stated under the Personnel Policy this is called solicitation and whatever we need to do it has to be a defined policy. Holt asked Swift to bring a recommendation back to the Commissioners.

**Youth as Resources**

Swift stated Youth as Resources has requested permission to use the Commissioners Courtroom on December 2, 2007. Altman motioned to approve. Holt seconded. Motion carried unanimously.

**Employee Benefit Plan Third Amendment**

Ms. Sheena Randall requested approval of the Third Amendment to October 2006 Restatement of Hamilton County Employee Benefit Plan. The amendment is relevant to Morbid Obesity. The amendment would be effective December 1, 2007 for one lifetime. Holt motioned to approve. Altman seconded. Motion carried unanimously.

**Auditor [3:07:51]**

**Community Development Block Grant**

Ms. Robin Mills requested approval of three (3) letters to the Indiana Department of Natural Resources for Historic review for the Community Development Block Grant (CDBG). The three projects are for 1) Carmel – continuation of Main Street Sidewalk Project; 2) Fishers – Old town Fishers Infrastructure Improvements; and 3) Westfield – Storm Sewer Project. Altman motioned to approve. Holt seconded. Motion carried unanimously.

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**Liability Trust Claim**

Mills requested approval of a Liability Trust Claim payable to Buckland & Associates in the amount of \$4,990. Holt motioned to approve. Altman seconded. Motion carried unanimously.

**Transit Grant**

Mills requested approval of the letter to INDOT regarding the deobligation of Transit Grant Funds for 2007 Capital Grant 1802568C (Janus Transportation Grant). Holt motioned to approve. Altman seconded. Motion carried unanimously.

Mills requested approval of the Transit Grant Voucher in the amount of \$60,307. Altman motioned to approve. Holt seconded. Motion carried unanimously.

**Capital Asset Notification Forms**

Mills requested approval of Capital Asset Notification Forms. Altman asked if the Auditor's office goes through the forms before they come to the Commissioners? How are they being disposed of, there are a bunch of these that say the item disappeared. They need to be cleaned up. Rauch stated our Fixed Asset person is reviewing the forms before they come to the Commissioners. Altman stated when she looks at them she does not know what they are talking about or if things are disappearing out of our inventory. Holt asked for a narrative from the Fixed Asset person for the Commissioners to review. Altman motioned to table. Holt seconded. Motion carried unanimously.

**Acceptance of Bonds/Letters of Credit – Drainage Board**

Mills requested the acceptance of Bonds and Letters of Credit for the drainage board. 1) HCDB-2006-00065 – The Ohio Casualty Insurance Company Performance Bond No. 3-973-299 for the reconstruction of the offsite Kruase Klepfer Drain - \$145,680. 2) HCDB-2006-00067 – The Ohio Casualty Insurance Company Payment Bond No. 3-973-299 for the reconstruction of the offsite Krause Klepfer Drain - \$145,680. Holt motioned to approve. Altman seconded. Motion carried unanimously.

**Release of Bonds/Letters of Credit – Drainage Board**

Mills requested the release of Bonds and Letters of Credit for the drainage board. 1) HCDB-22005-00100 – Bond Safeguard Insurance Company Subdivision Performance Bond No. 5018117 for Village of West Clay Section 9003 Monuments & Markers - \$3,960. 2) HCDB-2005-00103 – Madison County Community Bank Irrevocable Standby Letter of Credit No. 3256 for Saddlebrook @ Shelborne Surface Drains - \$36,396. 3) HCDB-2005-00104 – Madison County Community Bank Irrevocable Standby Letter of Credit No. 3254 for Saddlebrook @ Shelborne Storm Sewers - \$55,800. 4) HCDB-2005-00105 – Madison County Community Bank Irrevocable Standby Letter of Credit No. 3255 for Saddlebrook @ Shelborne for Erosion Control - \$47,480. 5) HCDB-2005-00108 – Bond Safeguard Insurance Company Performance Bond No. 5018042 for Meridian Corporate Plaza – Clara Knotts Drain Improvements - \$158,974.20. 6) HCDB-2006-00028 – Bond Safeguard Insurance Company Bond No. 5020016 for Meridian Corporate Plaza III for the Clara Knotts Drain Reconstruction - \$4,206. Altman motioned to approve. Holt seconded. Motion carried unanimously.

**Payroll Claims**

Mills requested approval of Payroll Claims for the period of October 8-21, 2007 paid November 8, 2007, October 8-21, 2007 paid November 12, 2007 and October 22, 2007 thru November 4, 2007 paid November 16, 2007. Holt motioned to approve. Altman seconded. Motion carried unanimously.

**Vendor Claims**

Mills requested approval of Vendor Claims to be paid November 14, 2007. Holt motioned to approve. Altman seconded. Motion carried unanimously.

*Dillinger recessed the meeting to Conference Room 1A.*

**Corrections Project Update [3:18:26]**

Mr. John Barbee updated the Commissioners on the corrections site construction project. Phase I – the north jail addition is a week off due to utility relocations, which should be overcome when the building is enclosed. The services building is seven (7) weeks behind due to the delivery of the pre-engineered building. The steel manufacture has been uncooperative. MacDougall Pierce (controlling contractor) has been put on notice that they will be responsible with all costs related to these delays. Our intent is to maintain the schedule and once the building is up we will do whatever we have to do with the other contractors to have the same completion date. It is not delaying the rest of the project. It could hurt when Phase III starts and we start to dig the basement for the south addition. The Sheriff's Department is still using those buildings on the south end and access is limited now and it will only get worse. It will put a pinch on operations. Altman asked if we are abandoning the old buildings? Barbee stated we are keeping them, they will be storage only. Barbee stated he may need Mike Howard's help if the contractor balks at the costs related to the delay. Phase II – foundation and dirt work of the new Community Corrections building will be completed in the next two weeks. Phase III – bids will be opened November 14 at 10:30 a.m. Work will begin in December. Altman asked when is the acceptance of bids? Barbee stated November 26. He will be bringing a budget for a recommendation of bid award. Barbee stated the remaining contingency is \$65,000. There are \$122,000 of pending issues (change orders) that need to be approved. Barbee asked how much detail do the commissioners want monthly? Altman stated they need to watch pending issues. Dawson stated they are out of contingency money. Barbee stated this is not the final contingency amount, when he presents the final budget it will have a final contingency amount.

Barbee requested approval of change orders for: Performance Contracting (Services Building) in the amount of \$14,768 for a shaft wall in the ceiling of the corridors. Gaylor (#23-R1) for correction of wire size on transformer - \$12,518. Gaylor (#23-R2) for additional service feeder - \$15,533. Gaylor - Phase I was designed all of the electrical gear to also handle the south expansion, the engineers estimates for the south expansion were off by one 800 amp panel. That cost is \$87,139. Holt motioned to approve. Altman seconded. Motion carried unanimously. Barbee stated these change orders were calculated into the contingency balance of \$65,000.

Barbee stated the issue of paving of the Senior Citizens Center parking lot keeps coming up. At the end of the Juvenile Services Center project new pavement at Cumberland Road was laid where damage was done during construction. They have prepared an estimated cost for the Senior Citizens Center. These were existing conditions from years of damage. The asphalt is not in good condition. Altman requested the agreement with the Senior Citizens Center be pulled. Swift stated they are not asking for the county to resurface their area, the theory was that while we were resurfacing if they could piggyback on our contractor they might get a better deal. Barbee stated the asphalt does not have a good base and that is why it has not lasted. The estimate they have received is approximately \$70,000 which is for excavating, building a new stone base and repaving. Barbee asked how the commissioners want to deal with this, he does not believe this is a project cost. Howard asked if Calumet will be back at the end of the project? Barbee stated top coating will have to be done and that project will be bid. Commissioner's consensus was to give them the estimate.

Barbee showed the commissioners samples of the exterior of the Community Corrections building. The Commissioners asked to keep looking for a limestone look.

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Barbee stated they currently have 158 sets of bids out on the street for the bids taken tomorrow. Barbee stated there was competition during Phase I on the Security Integrator alternates with Metroplex as an alternate. When Phase III started we did not think it was feasible because when Phase I locked in who would integrate in Phase III; however for the Jail Annex, it will be controlled by the Jail Central Control, it will be Stanley Solutions. As far as the community corrections building there is an alternate with Metroplex to bid that. The corrections building is a stand alone building with its own control systems and interfaces. It does have a monitor that can help during emergencies at the Jail but it can be provided by Metroplex or Stanley. They are both bidding as alternates.

**Hamilton County Seat Study [3:42:31]**

*Dillinger left the meeting at 3:50 p.m.*

Mr. Larry Dawson reviewed the timeline of events for the Hamilton County Downtown Seat Study. They have researched the population of Hamilton County since 1980 and the employee population of every department since 1980 to establish a worker trend. The commissioners will be able to use the interactive spreadsheet to enter a number to factor the employee population to the county population. The current factor is 1 employee to 1,000 in population. Ms. Debra Lazier reviewed Structurepoint's data research. Lazier stated when they look at the county population from the US Census Bureau it includes everybody that lives inside the county limits, this includes incorporated areas, unincorporated, towns and cities. The population numbers after 2000 are estimates based on future births, deaths and international migration. Lazier stated they have made the assumption that the number of county employees is directly related to the size of the population. The rate of growth has been established of 1:1. Lazier stated it is not expected that every county department will grow at a 1:1 ratio. Lazier has estimated which departments will grow faster than 1:1. Lazier would like the commissioners to establish the growth factors for each department. Holt stated what drives the courts is more courts, not additional court staff per court. Lazier stated we can go ahead and establish the number of employees needed based on six courts. Discussion of the factoring for the courts was held. Altman asked how many more courts would this building (Judicial Center) accommodate? Holt stated none, unless you visualize low ceiling first floor courts around the perimeter. Most likely the Prosecutor and Clerk would utilize more than the other side of the hall. All we have to move out is the Commissioners, Surveyor, Planning, and Human Resources. Dawson stated there is an element downtown that needs to stay together that is not court related. That will come up later in the study. We don't know how much space they will need until the Commissioners work on the factoring. The next step after the factoring is how do we bring in visitors, storage, square footage, and parking. Altman would like to look at other urbanized areas in Indiana (Allen County, Marion County) to see their growth, instead of speculating. Holt asked Lazier to speak with Jeff Burt (Hamilton County Alliance) to get comparisons of similar counties nationwide and ask Ollie (Schierholz) to run those through the matrix. Altman asked who are the remote people? Dawson stated the Jail, Parks Department, Highway Department, and Extension. Altman asked if we need to group criminal justice together? Dawson stated that could be done but we are not looking at another Cumberland Road project. Altman asked if the numbers have been built in for our employee needs at the Jail? Captain Dan Stevens stated they have built into their request to County Council the numbers for the north addition. Stevens stated once they take over the annex and Ralph Watson moves into his new building, which is totally different. Altman stated we know what it takes to run the Jail, we don't know about work release. Holt stated he is not sure that plays into a downtown study. Studying who is in the old highway department (Weights & Measures and EMA). Stevens stated EMA will be moving to the Sheriff's Department. Holt stated he does not know if it makes sense to have the Parks included because it does not make sense to build a scenario that they would come downtown. Dawson stated they are not looking at the current remote departments to bringing them downtown. Altman stated she sees Township Assessors coming to downtown. Dawson stated the Assessor's office is on the list. Altman stated she is concerned about the courts. Holt stated we will be building more courts. Dawson stated their theory is that the courts will be kept downtown and court related functions will be kept downtown with them. Holt stated we don't have office space that we could convert to courts because the support people are going to require more than what we have. Altman stated we are going to have to come to terms with at what point do we start pulling things out that are non-essential to the court function. That will directly affect parking and where parking is needed. Dawson stated the number one department that has requested re-location by other departments has been the Health Department. It creates a huge security issue. Warner stated there are infrastructure problems also; we have maximized our electrical without some significant panel upgrades and no place to put them. Those kind of the things need to be thought about in a new building. This building was not designed for what we are doing with it now. Lazier will e-mail the spreadsheet to the Commissioners so they can work on the factoring for the next meeting. Dawson stated we need to address the storage issue, especially before the next legislative session. We will surely not be storing paper in 2040. In today's world we can not plan on doubling the county's size and still file by paper.

Holt motioned to adjourn the meeting. Altman seconded. Motion carried unanimously.

**Commissioners Correspondence**

Notice of Retirement – BJ Casali

Beam, Longest and Neff Notice of Transmittal:

Bridge #133, E. 186<sup>th</sup> Street over Stony Creek

IDEM Notice of Sewer Permit Applications:

Carmel Wastewater Treatment Plant – Carmel

Prairie View @ Crosspoint – Fishers

Tall Timbers Mobile Home Park – Noblesville

Thorpe Creek Interceptor, Phase 4 – Fishers

U-Store – Fishers

IDEM Notice of Public Comment:

E&B Paving

IDEM Notice of Decision – Revocation

Concrete Industries, Inc. – Noblesville

IDEM Notice of Decision

Concrete Industries, Inc. – Noblesville

IDEM Notice of Construction Permit Application

Wastewater Treatment Plant Improvements/Expansion - Noblesville

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**Present**

Christine Altman, Commissioner  
Steven C. Dillinger, Commissioner  
Steven A. Holt, Commissioner  
Robin M. Mills, Auditor  
Fred Swift, Administrative Assistant to Commissioners  
Kim Rauch, Administrative Assistant to Auditor  
Michael Howard, Attorney  
Darren Murphy, Attorney  
Doug Carter, Sheriff  
Brad Davis, Highway Director  
Jim Neal, County Highway Engineer  
Joel Thurman, Highway Project Engineer  
Amber Emery, Highway Public Service Representative  
Virginia Hughes, Administrative Assistant to Highway Engineer  
Dave Lucas, Highway Staff Engineer  
Robert Chadwell, Highway Inspector  
Mark Fisher, Highway Project Engineer  
Christopher Burt, Highway Engineering Technician  
Tim Knapp, Highway Right-of-Way Manager  
Matt Knight, Highway Bridge Program Engineer  
Faraz Khan, Highway Staff Engineer  
Kathy Howard, Highway Department Administrative Manager  
Bob Davis, Highway Superintendent  
Patti Smith, BLN  
Becki Wise-Kent, USI  
Bill Fouts, Noblesville Daily Times  
Larry Dawson, Envoy  
John Barbee, Envoy  
Adam Brower, Envoy  
Dan Mayer, Envoy  
Debra Lazier, Structurepoint  
Scott Warner, Buildings and Grounds  
Ken Brasser, The Legacy  
Tim Walter, The Legacy  
Steve Feribach, The Legacy  
Mike McCool, Beam, Longest & Neff  
BJ Casali, ISSD

APPROVED  
HAMILTON COUNTY BOARD OF COMMISSIONERS

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ATTEST

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Robin M. Mills, Auditor